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UNITED STATES BANKRUPTCY COURT
CENTRAL DISTRICT OF CALIFORNIA
LOS ANGELES DIVISION

IN RE: CASE NO. 2:23-BK-11720-VZ
JEFFREY MARC SISKIND, CHAPTER 13
Debtor.

RESPONSE TO CHAPTER 13 TRUSTEE'S FIRST
SUPPLEMENTAL OBJECTION TO CONFIRMATION OF
DEBTOR'S CHAPTER 13 PLAN AND REQUEST FOR HEARING

Debtor, Jeffrey Marc Siskind, pro se, files this Response to the Chapter 13 Trustee's First Supplemental Objection to Confirmation of Debtor's Chapter 13 Plan and Request for Hearing, and states:

1. Debtor, in this Response, responds to the Chapter 13 Trustee's specific objections as contained in Exhibit A attached to the Trustee's Declaration
2. The Trustee did not properly object to confirmation because the objection stated inter alia that it was filed by an individual as opposed to being filed by the Chapter 13 Trustee, although said individual is an attorney employed by the Trustee.
3. VENUE. Proof of proper venue is plainly textually provided by 28 USC 1408 which permits a Debtor to file a Petition for Relief in a district where the Debtor's most

significant assets were located the better part of the six-month preceding the filing of the Petition. This is notwithstanding where the Debtor resides, and the Debtor's choice of forum should be upheld.

4. Transfer is not appropriate. The Debtor provided the Chapter 13 Trustee with the initial business registration that states that the business address of BDSI, the company that maintains the computer ledger for Debtor's most significant assets, is located in Los Angeles. Transfer would violate Debtor's rights pursuant to 28 USC 1408, and it is also notable that no creditor has objected to the Debtor's choice of forum.

5. Nor is it inconsistent that the entity holding Debtor's assets in California was formed in another district. The State of Delaware, where many corporate entities which do business elsewhere are formed, provides an example of a place where entity registration occurs despite business and assets being conducted or held in other states.

6. PLAN SERVICE AND NOTICE. Debtor has filed Form 3015-1.02, *Debtor's Notice Of (1) 11 U.S.C. Section 341(a) Meeting of Creditors, and (2) Hearing on Confirmation of Chapter 13 Plan, with Copy of Chapter 13 Plan*" with its First Amended Plan filed May 3, 2024.

7. ELIGIBILITY. Debtor's liability on the mortgage expressed in Proof of Claim No. 1 was at all times limited and contingent upon the creditor obtaining a deficiency judgment. Stay relief permitted the creditor to seek foreclosure of the property serving as security for its claim, which property is not owned by the Debtor. The property has sufficient equity so that it is unlikely that there would be any deficiency judgment against parties as opposed to the property.

8. FAILURE TO DISCLOSE. Information that appears on a website maintained by the Palm Beach County Tax Collector's Office is not a legally sufficient basis on which to assert

ownership of real property. Debtor provided the Chapter 13 Trustee with a copy of the original Second Siskind Family Trust that owns the property. Amendments to said trust were not requested by the Trustee but can be provided upon request.

9. An Amended Schedule E/F which corrected errors contained in the previously amended schedule filed on April 20, 2023 was filed remotely via eDB on April 29, 2024; however the filing was rejected by the Clerk because it may have changed creditor information that required it to be filed with payment. A revised amendment was refiled of even date herewith via the *eDB* platform in proper form and should not be rejected.

10. LIQUIDATION. The Chapter 13 Trustee's liquidation analysis is inaccurate because sale of Debtor's digital tokens is restricted until a future date. Although the value of Debtor's digital assets was based upon most recent comparative sales, they are not yet saleable. Thus, liquidation of Debtor's assets at the present time will not yield a sale price that will enable a more favorable outcome for creditors.

Providing proof of the value of Debtor's digital tokens will necessitate disclosures that may violate several confidentiality agreements, and the Debtor requests the Court's guidance as to how to best respond to the Chapter 13 Trustee's request for proof of value.

11. FEASIBILITY. Debtor's First Amended Plan filed May 3, 2024 properly accounts for the IRS priority claim as full pay. In addition, the Debtor's First Amended Plan provides for payment of all noncontingent, liquidated and undisputed claims.

12. INCOME. The Chapter 13 Trustee requested paystubs, a copy of Debtor's 2023 Federal Income Tax Return and a Business Income and Expense report for the period September 2022 through 2024 YTD using the form available on the Chapter 13 Trustee's website. The Debtor is self-employed and does not receive pay stubs.

Along with the Debtor's 2023 Federal Income Tax return, the completed Business Income and Expense Form was provided of even date for the most recent twelve (12) months beginning May, 2023 through April, 2024. The Debtor will fulfill the remainder of the Chapter 13 Trustee's request for the period September, 2023 through April, 2024 prior to the confirmation hearing.

13. At the Confirmation Hearing, the Debtor will provide evidence to the Court that all required Plan payments are current.

14. Debtor requests a hearing on any and all matters not resolved with the Chapter 13 Trustee prior to the confirmation hearing.

WHEREFORE, Debtor prays that this Court will determine that its current Plan is confirmable and confirm same, and for such other and further relief as appropriate.

/s/ Jeffrey M. Siskind
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3465 Santa Barbara Drive Wellington, Florida 33414
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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that, on this 6th day of May, 2024, a true and correct copy of the foregoing response was filed via *eDB* and creditors were served consistent with the attached Proof of Service.

/s/ Jeffrey M. Siskind
JEFFREY M. SISKIND, ESQ.
Pro Se

PROOF OF SERVICE OF DOCUMENT

I am over the age of 18 and not a party to this bankruptcy case or adversary proceeding. My business address is:
17927 77th Lane North, Loxahatchee, Florida 33470

A true and correct copy of the foregoing document entitled (specify):

Response to Chapter 13 Trustee's First Amended Supplemental Objection
to Confirmation of Debtor's Chapter 13 Plan and Request for Hearing

will be served or was served (a) on the judge in chambers in the form and manner required by LBR 5005-2(d); and (b) in the manner stated below:

1. **TO BE SERVED BY THE COURT VIA NOTICE OF ELECTRONIC FILING (NEF)**: Pursuant to controlling General Orders and LBR, the foregoing document will be served by the court via NEF and hyperlink to the document. On (date) May 6, 2024, I checked the CM/ECF docket for this bankruptcy case or adversary proceeding and determined that the following persons are on the Electronic Mail Notice List to receive NEF transmission at the email addresses stated below:

Service information continued on attached page

2. **SERVED BY UNITED STATES MAIL**:

On (date) May 6, 2024, I served the following persons and/or entities at the last known addresses in this bankruptcy case or adversary proceeding by placing a true and correct copy thereof in a sealed envelope in the United States mail, first class, postage prepaid, and addressed as follows. Listing the judge here constitutes a declaration that mailing to the judge will be completed no later than 24 hours after the document is filed.

Honorable Vincent P. Zurzolo
United States Bankruptcy Court
Central District of California
255 E. Temple Street, Suite 1360
Los Angeles, CA 90012

Service information continued on attached page

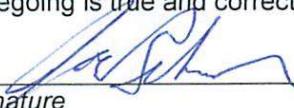
3. **SERVED BY PERSONAL DELIVERY, OVERNIGHT MAIL, FACSIMILE TRANSMISSION OR EMAIL** (state method for each person or entity served): Pursuant to F.R.Civ.P. 5 and/or controlling LBR, on (date) May 6, 2024, I served the following persons and/or entities by personal delivery, overnight mail service, or (for those who consented in writing to such service method), by facsimile transmission and/or email as follows. Listing the judge here constitutes a declaration that personal delivery on, or overnight mail to, the judge will be completed no later than 24 hours after the document is filed.

Service information continued on attached page

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

5-6-2024
Date

Josef Schneider
Printed Name


Signature

PROOF OF SERVICE OF DOCUMENTS

ATTACHMENT TO ITEM #1

United States Trustee (LA)
ustpregion16.la.ecf@usdoj.gov

JaVonne M Phillips
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Arvind Nath Rawal
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Nancy K Curry (TR)
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Caren J. Castle
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ATTACHMENT TO ITEM #2

Honorable Vincent P. Zurzolo
United States Bankruptcy Court
Central District of California
255 East Temple Street, Suite 1360
Loa Angeles, CA 90012

Florida Elections Commission
Attn: Mattie Clay
107 West Gaines Street Ste 224
Tallahassee, FL 32399-1050

Office of the U.S. Trustee
51 SW First Avenue, Room 1204
Miami, FL 33130-1614

US Dept of Education
PO Box 16448
St Paul, MN 55116-0448

Civitek
PO Box 16428
Tallahassee, FL 32317-6428

Franchise Tax Board
Bankruptcy Section MS A340
PO Box 2952
Sacramento, CA 95812-2952

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